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EXAMINER

RAPILLO, KRISTINE K

ART UNIT

PAPER NUMBER

3626

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3626

Advisory Action

1. This communication is in response to the amendment after final submitted June 15, 2009.

Rejections Under 35 U.S.C. §112, Second Paragraph

2. The Applicant argues that the language at issue is sufficiently definite under 35 U.S.C. §112, Second Paragraph and that the issue raised by the Examiner concerns the breadth of the language. The Examiner respectfully agrees, thus the 35 U.S.C. §112, Second Paragraph rejections of claims 13, 19, 32, and 38 are hereby withdrawn.

Rejections Under 35 U.S.C. §103

3. In regard to the claim 1, the Applicant argues the Ross and Wheeler references individually, rather than in combination; thus, the Applicant's argument is not persuasive.

/Kristine K Rapillo/

Examiner, Art Unit 3626

/C. Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626